

In re  
MULLAEV, ROSA  
a.k.a. KIPNAS, ROSA

Debtor

**Case#:112-42585**  
**CHAPTER 7**  
**JUDGE CARLA E. CRAIG**

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ORDER AUTHORIZING THE RETENTION OF ATTORNEY FOR THE TRUSTEE

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UPON the Application of David J. Doyaga, Sr. Trustee herein, dated June 4, 2012, for an order of the Court authorizing the Trustee to retain Doyaga & Schaefer as attorneys for the Trustee under a general retainer; the Affirmation of Disinterested Person of David J. Doyaga, Sr. Esq. executed on June 4, 2012; and it satisfactorily appearing that Doyaga & Schaefer represents no interest adverse to the Estate of the above captioned Debtor in the matters upon which said attorney is to be engaged and that the employment of said attorneys would be in the best interests of the Estate herein; it is the

FINDING of this Court that the Doyaga & Schaefer does not hold or represents an interest adverse to the Estate and is a disinterested person within the meaning of Section 327 (a) and Section 101 (14) of the Bankruptcy Code; and it is therefore

ORDERED, that pursuant to 11 U.S.C. Section 327(a) and (d), David J. Doyaga, Sr. as Trustee, be and he hereby is, authorized to retain Doyaga & Schaefer to act as his attorneys in this proceeding and to be recompensed therefor under a general retainer upon application to the Court pursuant to Sections 330 and 331 of the Bankruptcy Code effective as of the date of the Application, June 4, 2012.

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NO OBJECTION

UNITED STATES TRUSTEE

UNITED STATES BANKRUPTCY COURT FOR THE  
EASTERN DISTRICT OF NEW YORK

In re  
MULLAEV, ROSA  
a.k.a.  
KIPNIS, ROSA,  
  
Debtor.

**Case #112-42585**  
**CHAPTER 7**  
**JUDGE CARLA E. CRAIG**  
**APPLICATION TO**  
**RETAIN COUNSEL**

TO THE HONORABLE CARLA E. CRAIG  
UNITED STATES BANKRUPTCY JUDGE:

The Application of David J Doyaga, Sr., respectfully shows and represents:

1. On April 10, 2012, the above captioned Debtor (the "Debtor") filed a voluntary petition for relief under Chapter 7 of the United States Bankruptcy Code.

2. Pursuant to the Notice of Appointment of Interim Trustee, David J. Doyaga, Sr., ("Applicant") was appointed Trustee for the Estate of the Debtor and is now qualified and acting as such Trustee.

3. Applicant is an attorney duly admitted to practice law before the bar of this Court and the Courts of the State of New York.

4. Applicant seeks a Court Order authorizing retention of Doyaga & Schaefer as attorneys for the Trustee and believes Doyaga & Schaefer to be qualified to act as such in connection with the administration of this estate, as Doyaga & Schaefer have had substantial experience attorneys in proceedings of this nature.

5. Doyaga & Schaefer neither holds or represents any interest adverse to the Trustee or to the Estate of this Debtor.

6. The Doyaga & Schaefer have had no connection with the Debtor, its creditors or any other parties in interest or their respective attorneys.

7. Trustee submits that Doyaga & Schaefer's retention as attorney, if approved, would enable the Estate to be administered in an expeditious and economical fashion, which will be in the best interests of the Estate, its creditors and other parties in interest.

**8. The Trustee believes that counsel will be necessary to assist the Trustee in anticipated**

**litigation involving the compelled turnover and of the Debtor's non exempt property. Upon any future settlement of the litigation, counsel will be needed to move for the approval of any settlement and possibly make objections to claims.**

9. No previous Application for the relief sought herein has been made to this or any other Court.

10. The terms of the retention shall be hourly. I presently bill at a rate of \$550 an hour for my time, \$425 an hour for the time of my partner Patrick K. Schaefer and \$235 an hour for the time of my paralegals.

WHEREFORE, applicant respectfully prays for an order of this Court authorizing the Trustee to retain Doyaga & Schaefer to act as attorneys in this proceeding under a general retainer, and that he be granted such other, further, and different relief as to this Court may seem just and proper.

Dated: Brooklyn, New York

June 4, 2012

S/ David J. Doyaga, Sr.  
David J. Doyaga, Sr. Esq. (dd7297)  
Chapter 7 Trustee  
26 Court Street  
Suite 1002  
Brooklyn, New York 11242  
(718) 488-7500

UNITED STATES BANKRUPTCY COURT FOR THE  
EASTERN DISTRICT OF NEW YORK

In re  
MULLAEV, ROSA  
a.k.a.  
KIPNIS, ROSA,

Debtor.

**Case#:112-42585**  
**CHAPTER 7**  
**JUDGE CARLA E. CRAIG**  
**AFFIRMATION OF**  
**DISINTERESTED PARTY**

David J. Doyaga, Sr. ESQ., a member of Doyaga & Schaefer affirm as follows:

1. I am duly admitted to practice before the Bar of this Court and the Courts of the State of New York, with offices located at 26 Court Street, Suite 1002, Brooklyn, New York 11242.

2. This matter arises in a Chapter 7 Proceeding pending in the United States Bankruptcy Court for the Eastern District of New York which requires the administration of the Estate, specifically the pursuit of assets and claims that the Estate possesses.

3. To the best of my knowledge, information, and belief, I have no connection in this matter with the Debtor, the Debtor's attorney, the Debtor's creditors, or any other parties in interest or their respective attorney except that I am also the Trustee of the above Estate. I did not file the Debtor's petition for relief under Title 11 of the United States Code, I have not acted as the attorney for any creditor, or served as an examiner in this proceeding. I verily believe that I am a disinterested person pursuant to and within the meaning of the United States Bankruptcy Code. Neither I, nor any of my firm has any connection with the above-named Debtor, nor to the best of my knowledge, its creditors or any other party in interest, or their respective attorneys, or accountants, the United States Trustee or any person employed in the Office of the United States Trustee. Neither my firm nor I hold any claims against the Debtor and is an "insider" of the Debtor, as such term is defined in Title 11 of the United States Code (the "Code"). Neither I, nor any of my firm, including my staff, hold or represent an interest adverse to the Debtor or the Estate.

4. I represent no interest adverse to the Trustee or the above-referenced Estate as to the matters upon which I am to be engaged.

5. No agreement or understanding exists between myself and any other person for a division of compensation paid or to be paid for services rendered in this proceeding, and in accordance with Bankruptcy Rule 2016, no division of compensation shall be made by affiant and no agreement prohibited by 18 U.S.C. § 155 has been or will be made.

6. I am the attorney who will bear primary responsibility for the representation of the Trustee and the Estate of the Debtor herein.

7. I have read and am generally familiar with the Bankruptcy Code, the Bankruptcy Rules, and the Local Rules for the United States Bankruptcy Court for both the Southern and Eastern Districts of New York.

8. I verily believe I am competent to represent the interests of the Trustee on whose behalf representation is now sought.

Dated: Brooklyn, New York

June 4, 2012

S\ David J. Doyaga, Sr.  
David J. Doyaga, Sr. Esq.(dd7297)  
Doyaga & Schaefer  
Attorneys at Law  
26 Court Street, Suite 1002  
Brooklyn, New York 11242